

FILED
Clerk
District Court

OCT - 5 2005

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN MARIANA ISLANDS

For The Northern Mariana Islands
By _____
(Deputy Clerk)

Civil Action No. 05-0025

WILLIAM KAIPAT, as personal
representative of KIMOTOSY WILLY,
deceased,

Plaintiff,

vs.

TATSUYA OIKE,

Defendant,

Case Management Scheduling
Order

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Pursuant to Federal Rule of Civil Procedure 16(b)¹ and Local Rule 16.2CJ.e.4, a
Case Management Conference was conducted in the above case on October 5, 2005.

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Fed.R.Civ.P. 16(b)(6) provides in part that a case management scheduling order "shall not be modified except upon a showing of good cause and by leave of the district judge[.]" To establish good cause, a party must generally show that even with the exercise of due diligence it cannot meet the order's timetable. See e.g. Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 609 (9th Cir. 1992). The liberal amendment policy of Fed.R.Civ.P. 15 no longer obtains once the case management scheduling order has been entered. See Coleman v. Quaker Oats Co., 232 F.3d 1271, 1294 (9th Cir. 2000).

1 As a result of the conference,

2 IT IS ORDERED THAT:

- 3 1. All parties are to be joined on or before March 9, 2006.
- 4 2. All motions to amend pleadings shall be filed on or before March 9, 2006.
- 5 3. All discovery shall be served by February 1, 2006.
- 6 4. All discovery motions shall be filed so as to be heard on or before March
- 7 9, 2006. The following discovery documents and proofs of service thereof
- 8 shall not be filed with the Clerk until there is a motion or proceeding in
- 9 which the document or proof of service is in issue and then only that part
- 10 of the document which is in issue shall be filed with the Court:
- 11 a. Transcripts of depositions upon oral examination;
- 12 b. Transcripts of deposition upon written questions;
- 13 c. Interrogatories;
- 14 d. Answers or objections to interrogatories;
- 15 e. Requests for production of documents or to inspect tangible things;
- 16 f. Responses or objections to requests for production of documents
- 17 or to inspect tangible things;
- 18 g. Requests for admission; and,
- 19 h. Responses of objections to requests for admission.
- 20 5. Plaintiff expert disclosure - March 9, 2006
- 21 6. Defendant and third-party defendant expert disclosure - April 10, 2006.
- 22 7. Expert discovery shall be completed by May 12, 2006.
- 23 8. A status/settlement conference will be held on March 10, 2006, at 9:00
- 24 a.m.
- 25 9. All dispositive motions shall be heard on or before June 15, 2006. Said
- 26 motions shall be filed in accordance with Local Rules 7.1 and/or 56.1.
10. A settlement conference will be held November 9, 2005, at 10:00 a.m.
- and on June 16, 2006, at 9:00 a.m.
11. The jointly-prepared final pretrial order, prepared pursuant to Local Rule
- 16.2CJ.e.9, shall be filed with this Court by July 3, 2006.

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2 12. A final pretrial conference will be held on July 7, 2006, at 9:00 a.m.

3 13. The trial in this case shall begin on July 17, 2006, at 9:00 a.m.

4 This case has been assigned to the Expedited Track.

5 DATED THIS 5th day of October, 2005, Garapan, Saipan, CNMI.

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8 JUDGE ALEX R. MUNSON
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